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8 and Epson Electronics America, Inc.

9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13

14 IN RE TFT-LCD (FLAT PANEL)  
ANTITRUST LITIGATION

15

16 This Document Relates to:

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18 *Motorola Mobility, Inc. v. AU Optronics  
Corporation, et al., C 09-5840 SI*

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20 *AT&T Mobility LLC, et al. v. AU Optronics Corp.,  
et al., C 09-4997 SI*

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22 *Target Corp., et al. v. AU Optronics Corp., et al.,  
Case No. CV-04945 SI*

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24 *Dell Inc. and Dell Products L.P. v. Sharp Corp.  
et al., Case No. CV 10-1064 SI*

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MDL File No. 3:07-md-1827-SI  
MDL No. 1827

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING FACT  
DISCOVERY CUTOFF DATE AND  
EXTENSION OF TIME TO MOVE  
TO COMPEL**

1 Plaintiffs Motorola Mobility, Inc. (“Motorola”); AT&T Mobility, LLC, AT&T Corp.,  
 2 AT&T Services, Inc., Pacific Bell Telephone Company, AT&T Operations, Inc., AT&T  
 3 DataComm, Inc., Southwestern Bell Co., (“AT&T”)<sup>1</sup>; Target Corp.; Sears Roebuck and Co.;  
 4 Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp.; Newegg Inc.; Dell Inc., and  
 5 Dell Products L.P.’s (“Dell”) (collectively, “Plaintiffs”) and Defendants Epson Imaging Devices  
 6 Corporation and Epson Electronics America, Inc. (collectively, “Epson Defendants”) hereby  
 7 stipulate as follows:

8 **STIPULATION**

9 WHEREAS discovery closes in this case on December 8, 2011, as set forth in the  
 10 Stipulation and Order Modifying Pretrial Schedule for “Track One” Direct Action Plaintiff and  
 11 State Attorney General Actions (Dkt. No. 3110, the “Scheduling Order”);

12 WHEREAS Plaintiffs Motorola and Dell served Direct Action Plaintiffs’ First Set of  
 13 Interrogatories To Epson Defendants and Direct Action Plaintiffs’ First Set of Requests For  
 14 Admission To Epson Defendants on June 16, 2011;

15 WHEREAS Plaintiffs served their Joint Set of Requests for Production of Documents and  
 16 Interrogatories on Epson Defendants in the above-captioned cases on November 2, 2011;

17 WHEREAS Epson Defendants and Motorola continue to meet and confer over several  
 18 outstanding discovery issues and are attempting to answer questions regarding their respective  
 19 data productions informally without the need for formal discovery;

20 WHEREAS Plaintiffs and Epson Defendants have conferred and agreed to the extension  
 21 of the close of fact discovery set forth in the Scheduling Order for the limited purposes identified  
 22 below;

23 NOW, THEREFORE, the Parties, through their undersigned respective counsel, stipulate  
 24 and agree as follows:

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 26 \_\_\_\_\_  
 27 <sup>1</sup> This stipulation is without prejudice to the Administrative Motion To Modify AT&T’s  
 Trial Schedule filed on December 8, 2011, or to Defendants’ opposition thereto.

1. Epson Defendants' deadline to respond to Plaintiffs' Joint Set of Requests for Production of Documents and Interrogatories shall be extended to December 19, 2011.

2. Plaintiffs' deadline to move to compel further responses to Plaintiffs' Joint Set of Requests for Production of Documents and Interrogatories shall be extended to January 6, 2012.

3. Epson Defendants' deadline to move to compel further responses from Motorola with respect to the following discovery issues, shall be extended to January 31, 2012:

a. Further responses to Defendants' Third Set of Requests for Production of Documents to Motorola, Inc., dated June 7, 2011, Nos. 6-8;

b. Further responses to Defendants' Second Set of Requests for Production of Documents to Plaintiff Motorola, Inc., dated Apr. 16, 2010, Nos. 1-5 and 8.

4. Motorola's deadline to move to compel further responses regarding the Epson Defendants' production of transaction data shall be extended to January 31, 2012.

5. Motorola and Dell's deadline to move to compel further responses from Epson Defendants with respect to the Direct Action Plaintiffs' First Set of Interrogatories To Epson Defendants, Nos. 3-5, 38, and 50, and Direct Action Plaintiffs' First Set of Requests For Admission To Epson Defendants, Nos. 14-24, 54-63, 66-74, and 79-95, shall be extended to January 31, 2012.

Dated: December 13, 2011

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By: /s/ Derek Foran  
DEREK FORAN

Attorneys for Defendants Seiko Epson Corporation, Epson Imaging Devices Corporation, and Epson Electronics America, Inc.

1 Dated: December 13, 2011

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9 By: /s/ Joshua Stokes

10  
11 Attorneys for Plaintiffs Motorola  
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13 AT&T Corp., AT&T Services, Inc.,  
14 Pacific Bell Telephone Company,  
15 AT&T Operations, Inc., AT&T  
16 DataComm, Inc., Southwestern Bell  
17 Co., Target Corp., Sears, Roebuck and  
18 Co., Kmart Corp., Old Comp Inc.,  
19 Good Guys, Inc., RadioShack Corp.,  
20 Newegg Inc.

21 Dated: December 13, 2011

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By: /s/ Debra Bernstein

29  
30 Attorneys for Plaintiffs Dell Inc. and  
31 Dell Products L.P.

1 IT IS SO ORDERED.  
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Dated: 12/16, 2011



The Honorable Susan Illston  
Judge of the District Court

6 **ATTESTATION:** Pursuant to N.D. Cal. General Order 45, Part X-B, the filer attests that  
7 concurrence in the filing of this document has been obtained from each signatory hereto.

9 Dated: December 13, 2011

By: /s/ Derek Foran  
Derek Foran

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